

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DEBRA D. PATSIOS,

Plaintiff,

vs.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

4:13-CV-3134

MEMORANDUM AND ORDER

This matter is before the Court upon the plaintiff's Motion for Attorney Fees Pursuant to [42 U.S.C. § 406\(b\)\(1\)](#) (filing [38](#)). The defendant has no objection to the awarding of fees in the amount of \$6,000.00, which represents 40 hours of work at \$150.00 per hour. *See* filings [41](#) and [38](#). The Court has rendered a judgment favorable to the plaintiff, as the Commissioner's decision was reversed and the case was remanded to the Commissioner for calculation and award of benefits. Therefore, the plaintiff is entitled to an award of attorney fees. *See* [§ 406\(b\)\(1\)\(A\)](#).

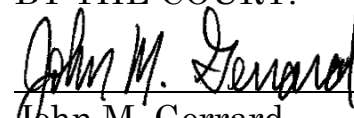
The Court, having reviewed the record, finds that the fee is reasonable and does not exceed 25 percent of the total of the past-due benefits to which the plaintiff was entitled. *See id.* An attorney fee of \$6,000.00 will be awarded, to be paid by the plaintiff from past due benefits that were (or should have been) withheld by the defendant.

IT IS ORDERED:

1. The plaintiff's Motion for Attorney Fees Pursuant to [42 U.S.C. § 406\(b\)\(1\)](#) (filing [38](#)) is granted.
2. An attorney fee of \$6,000.00 shall be paid by the plaintiff from past due benefits withheld by the defendant.
3. A separate judgment will be entered.

Dated this 6th day of July, 2016.

BY THE COURT:

A handwritten signature in black ink, appearing to read "John M. Gerrard", is written over a horizontal line.

John M. Gerrard
United States District Judge